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RALPH E. JOCKE
walker & jocke LPA
231 SOUTH BROADWAY
MEDINA, OH 44256

EXAMINER
SUBRAMANIAN, NARAYANSWAMY

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/505,594
Filing Date: February 16, 2000
Appellant(s): DRUMMOND ET AL.

○

Ralph E. Jocke (Reg. No. 31,029)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 23, 2004 appealing from the Office action

mailed on August 10, 2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct. However in a conversation between SPE Vincent Millin and Mr. Ralph Jocke (Appellant's attorney) it was explained to Attorney Jocke that the reason for non-response was the application was lost in transition.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(a) 6,311,165   Coutts et al   10-2001

(b) JINI (TM) Device Architecture Specification, Sun Microsystems, Revision 1 (January 25,

1999) pp 1-14.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-11, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Coutts et al (US Patent 6,31 1,165 B1) as discussed in paragraph 4 of the final office action

mailed on August 10, 2004. This rejection has been appended below.

With reference to claim 1, Coutts teaches an automated transaction machine comprising:

a plurality of transaction function devices, wherein each transaction function device includes an

associated device computer processor, wherein at least one device computer processor associated

with a first transaction function device is operative responsive to being placed in operative

connection with at least one other device computer processor associated with a second

transaction function device, to cause the first transaction function device to become

automatically interoperative with the second transaction function device; a data store in operative

connection with both the first transaction function device and the second transaction function

device, wherein the first transaction function device is operative to access a device driver from

the data store, wherein the device computer processor associated with the first transaction

function device is operative responsive to the device driver to interact with the second

transaction function device in carrying out a financial transaction with the automated transaction

machine (See Coutts Figures 4, 8, 11, 15, abstract, Column 3 line 10 - Column 4 line 54, Column

9 line 10 - Col 10 line 55 and Claims 1-5). The server includes a data store.

Coutts does not explicitly teach the step wherein a transaction function device is

operative to communicate a device driver from the transaction function device to the data store

for storage in the data store.

Official notice is taken that the step wherein a transaction function device is operative to

communicate a device driver from the transaction function device to the data store for storage in

the data store is old and well known in the art. Communication of a device driver from the device

to a data store helps in synchronization of transaction events making the process more efficient.

It would have been obvious to one with ordinary skill in the art at the time the invention was

made to include this step to the disclosure of Coutts. The combination of the teachings taken as a whole

suggests that the users of the device would have benefited from increased efficiency in processing the

transaction.

With reference to claim 2, Coutts teaches a automated transaction machine according to

claim 1, and further comprising a network, wherein the network is in operative connection with

the at least one data store, the first transaction function device and the second transaction

function device, wherein the device computer processor associated with the first transaction

function device is operative responsive to the device driver to communicate with the second

transaction device through the network (See Coutts Column 3 line 55 - Column 4 line 8, Column

9 lines 34 - 40, Column 9 line 55 - Column 10 line 4).

With reference to claim 3, Coutts teaches a automated transaction machine according to

claim 2, wherein the driver is a hardware independent software component that is operative in

the device computer processor associated with the first transaction function device (See Coutts

Column 25 lines 32-35 and Claim 34).

With reference to claim 4, Coutts teaches an automated transaction machine

comprising: a plurality of transaction function devices, wherein each transaction function

device includes an associated device computer processor, wherein at least one device computer

processor associated with a first transaction function device is operative responsive to being

placed in operative connection with at least one other device computer processor associated

with a second transaction function device to cause the first transaction function device to

become automatically interoperative with the second transaction function device, wherein the

first transaction function device interacts with the second transaction function device in

carrying out a financial transaction with the automated transaction machine; a network,

wherein the network is in operative connection with at least one data store, wherein the data

store includes a transaction function device driver, wherein the device computer processor

associated with the second transaction function device is operative to cause the driver to be

stored in the data store, wherein the second transaction function device is operative responsive

to the driver, wherein the first transaction function device interacts with the second transaction

function device responsive to operation of the driver (See discussion of Claim 1 above and

Column 21 lines 4-36).

With reference to claims 5-9, Coutts teaches an automated transaction machine wherein

the device computer processor associated with the fast transaction function device is operative to

acquire the driver from the data store; wherein the device computer processor associated with the

first transaction function device includes a virtual machine, wherein the driver is operative in the

virtual machine; wherein the driver includes a method that is operative to cause the second

transaction function device to perform a portion of the transaction, wherein the device computer

processor associated with the first transaction function device is operative to invoke the method;

wherein the device computer processor associated with the second transaction function device is

operative to cause the first transaction function device to perform a portion of the transaction

responsive to a remote procedure call by the driver and wherein the second transaction function

device includes a sheet dispenser, and wherein the transaction includes the dispense of a sheet

from the sheet dispenser. (See Coutts Abstract, Column 3 line 10 - Column 4 line 54, Column 9

lines 53-67, Column 11 line 53 - Column 14 line 11, Column 25 lines 25-29 and Claims 1-5 and

34-35).

With reference to claims 10 and 11, Coutts teaches an automated financial transaction

machine comprising a plurality of transaction function devices, wherein at least one of the

transaction function devices includes a sheet dispenser, and wherein each one of the transaction

function devices includes an associated device computer, and wherein at least one of the device

computers is programmed so that operative connection of a first transaction function device to

the machine automatically causes the first transaction function device to coordinate operation

with at least one other transaction function device in carrying out a financial-transaction which

includes the dispense of at least one sheet from the sheet dispenser, wherein the first transaction

function device is operative to communicate a device driver from the first transaction function

device to the at least one other transaction function device, wherein the at least one of the device

computers of the at least one other transaction function device is operative responsive to the

device driver communicated from the first transaction function device to the at least one other

transaction function device, wherein the at least each of the transaction function devices, wherein each of the plurality of transaction function devices includes an associated device driver stored therein and is operative to communicate the associated device driver to the data store for storage therein, wherein the at least one other transaction function device is operative to access the device driver associated with the first transaction function device from the data store (See discussion of claim 1 above and Column 25 lines 25-36).

With reference to claims 45 and 46, Coutts teaches the step wherein the sheet dispenser comprises a cash dispenser (See Column 25 fines 25-30).

(10) Response to Argument

In response to Appellant's arguments about claims 1-3, 6-9 and 46, that Coutts does not teach the steps of ""the first transaction function device is operative to access the device driver from the data store; and the device computer processor associated with the first transaction function device is operative responsive to the device driver, to interact with the second transaction function device in carrying out a financial transaction with the automated transaction machine" the Examiner respectfully disagrees. Coutts Figures 4a and 4b, shows a central processor in connection with the peripheral devices. The central processor includes a data store for storing device driver (See Coutts Column 3 lines 55-65). The transaction function device is operative to access the device driver from the data store (See Coutts Column 3 lines 55-65). Coutts also discloses the step wherein the device computer processor associated with the first transaction function device is operative responsive to a device driver, to interact with the second transaction function device in carrying out a financial transaction with the automated transaction machine (See Coutts Abstract). Coutts does not explicitly teach the step

wherein a second transaction function device is operative to communicate a device driver from the

second transaction function device to the data store for storage in the data store. Official notice was

taken to provide this missing step. In support of the official notice taken, the examiner would like to

direct the Appellant's attention to the Jini Device Architecture Specification Reference. In pages 6-8 of

the Jini Device Architecture Specification Reference is disclosed JINI technology wherein intelligent

peripherals using Java virtual machine (JVM) communicate Java objects and codes with other

peripherals through the RMI interface and layer. The motivation to combine these steps is that each of

the operating modules (peripheral devices) can be conveniently and independently updated using

JAVA executable program code. This motivation can be found in Coutts Column 3 lines 18-26.

In response to Appellant's arguments about claims 4 and 5, that Coutts does not teach the step

of "the device computer processor associated with the second transaction function device is operative to

cause the driver to be stored in the data store; and the first transaction function device interacts with the

second transaction function device responsive to operation of the driver" the Examiner respectfully

disagrees. Coutts Figures 4a and 4b, shows a central processor in connection with the peripheral

devices. The central processor includes a data store for storing device driver (See Coutts Column 3

lines 55-65). The transaction function devices are operative to access the device driver from the data

store (See Coutts Column 3 lines 55-65) and the first transaction function device interacts with the

second transaction function device responsive to operation of the driver (See Coutts Abstract). The

Coutts abstract very clearly discloses that the peripheral devices communicate with each other and that

a peripheral operates in response to signal generated by another peripheral. Coutts does not explicitly

teach the step wherein a second transaction function device to the data store for storage in the data

store. Official notice was taken to provide this missing step. In support of the official notice taken, the
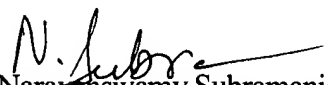
examiner would like to direct the Appellant's attention to the Jini Device Architecture Specification

Reference. In pages 6-8 of the Jini Device Architecture Specification Reference is disclosed JINI

technology wherein intelligent peripherals using Java virtual machine (JVM) communicate Java

objects and codes with other peripherals through the RMI interface and layer. The motivation to

combine these steps is that each of the operating modules (peripheral devices) can be conveniently and

independently updated using JAVA executable program code. This motivation can be found in Coutts

Column 3 lines 18-26.

In response to Appellant's arguments about claims 10, 11 and 45, that Coutts does not teach the

steps of "the first transaction function device is operative to communicate a device driver from the first

transaction function device to the at least one other transaction function device; and the at least one of

the device computers of the at least one other transaction function device, is operative responsive to the

device driver communicated from the first transaction function device, to communicate with the first

transaction function device" the Examiner respectfully disagrees. Coutts Figures 4a and 4b, shows a

central processor in connection with the peripheral devices. Coutts abstract also clearly discloses the

steps wherein the first transaction function device is operative to communicate a device driver from the

first transaction device to the at least one other transaction function device, and the at least one of the

device computers of the at least one other transaction function device, is operative responsive to the

device driver communicated from the first transaction function device, to communicate with the first

transaction function device.

Hence the cited reference in combination with the provided support for the official notice taken

discloses all the features and relationships that are claimed. For the above reasons, it is believed that the
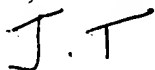
rejections should be sustained.

Respectfully submitted,

Dr. Narayanswamy Subramanian
Examiner, Art Unit 3624

December 8, 2005

Conferees

Vincent Millin
SPE, Art Unit 3624

Joseph Thomas
SPE, Art Unit 3626

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600